

Application No.: 09/050,808  
Amendment dated: February 27, 2004  
Reply to Office Action of: December 30, 2003

MAT-5860

**Remarks/Arguments:**

Claim 21 has been amended. Claim 21 has been amended to include a portion of the feature which previously appeared in claim 12. As the added feature to claim 21 was included in claim 12, this amendment does not raise a new issue.

Claims 2, 7 and 12-22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Sun (U.S. Patent No. 5,247,363) in view of Tahara (U.S. Patent No. 5,633,682). This rejection is respectfully traversed.

Applicants' invention, is recited by claim 21, includes a feature which is neither disclosed nor suggested by the art of record, namely,

... evaluating with block N of frame N and block N-M of frame N-M ...  
... identifying an error in one of block N and block N-M;  
... using the other of block N and block N-M to decode N+1 ...

The evaluation of blocks from 2 prior frames is neither disclosed nor suggested by the art of record. The Official Action admits this, "Sun does not disclose the construction of a frame from data two frames prior." While Tahara, Figure 4 does disclose the construction of a frame from data two frames prior, Tahara also lacks the evaluation of frame N and frame N-M to determine which block to use to decode a future block. As this feature is neither disclosed nor suggested by the art of record, claim 21 is patentable over the art of record.

Claim 22 is also patentable for reasons similar to those set forth above with regard to claim 21.

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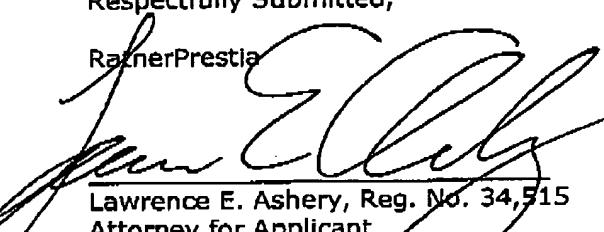
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The remaining claims are all patentable by virtue of their dependency on allowable independent claims.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully Submitted,

RatnerPrestia

  
Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicant

LEA/fp

Dated: February 27, 2004

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office: Fax No. (703) 872-9306 on the date shown below.

February 27, 2004

  
Stan Pedullo